

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 05-385
	:	
D-1 TAKCHUNG YEUNG,	:	
a/k/a “Paul,”	:	
a/k/a “Paul Yeung,”	:	
a/k/a “Paul T. C. Yeung,”	:	
D-2 CHANG SHAN LIU,	:	HON. JEROME B. SIMANDLE
a/k/a “Charles Liu,”	:	
D-3 MAY LIU,	:	
a/k/a “May Chin,”	:	
D-4 SHEN WEN CHEN,	:	
D-5 KWONG YUEN WONG,	:	
a/k/a “Ming Lee,”	:	18 U.S.C. § 371
D-6 LIANG CHIH TANG,	:	18 U.S.C. § 545
a/k/a “Tony Tang”	:	18 U.S.C. § 2320
and	:	18 U.S.C. § 2342
D-7 TSUNG MING LU,	:	18 U.S.C. § 2
a/k/a “Tony”	:	18 U.S.C. § 982
	:	
Defendants	:	

**SUPERSEDING INDICTMENT**

THE GRAND JURY IN AND FOR THE DISTRICT OF NEW JERSEY,  
SITTING AT CAMDEN, CHARGES:

**INTRODUCTION**

1. At all relevant times, a “Trademark,” as defined in Title 15, United States Code, Section 1127, is any word, name, symbol or device or any combination thereof, used by a person to distinguish his or her goods, including a unique product, from that manufactured or sold by others and to indicate the source of the goods. The term “Mark” includes any trademark.

2. At all relevant times, a “Registered Trademark,” as defined in Title 15, United States Code, Section 1127, is a trademark registered in the United States Patent and Trademark Office according to law.

3. At all relevant times, and for purposes of this indictment, a “Counterfeit Mark,” as defined in Title 18, United States Code, Section 2320 (e)(1)(A), is a spurious mark that is used in connection with trafficking in goods and services which is identical to, or substantially indistinguishable from, a mark registered for those goods on the principal register for the United States Patent and Trademark Office, and the use of which is likely to cause confusion, to cause mistake, or to deceive the potential purchasers of the counterfeit goods.

4. At all relevant times, and for purposes of this indictment, the term “Counterfeit Cigarettes” refers to cigarettes bearing counterfeit marks and trademarks.

5. Contraband cigarettes is statutorily defined term which means a quantity in excess of 60,000 cigarettes (generally seven cases of cigarettes) which bear no evidence of the payment of applicable state cigarette taxes in the state where such cigarettes are found, if such state requires a stamp, impression or other indication to be placed on packages or other containers of cigarettes to evidence payment of cigarette taxes. Title 18 U.S.C. § 2341(2).

6. At all relevant times, the state of California imposed a state tax on cigarettes and required a state cigarette tax stamp on the cigarette packages.

7. The brand name cigarettes “Marlboro,” and “Marlboro Lights” are cigarettes manufactured in the United States by Phillip Morris USA. At all relevant times, the brand names “Marlboro,” and “Marlboro Lights” were registered trademarks of Phillip Morris USA.

8. The brand name cigarettes “Newport,” and “Newport 100's” are cigarettes manufactured in Greensboro, North Carolina by the Lorillard Tobacco Company. At all relevant times, the brand names “Newport” and “Newport 100's” were Registered Trademarks of the Lorillard Licensing Company, LLC and the trademarks and the right to enforce the trademarks have been assigned to the Lorillard Tobacco Company.

9. “Bill of Lading” refers to a document that a transportation company possesses, acknowledging that it has received goods, which temporarily serves as the title to the goods during the transport of the merchandise.

10. As used in this indictment, the term “container” is a reference to a large metal box approximately 40 feet in length used to transport bulk cargo on board ships as well as on tractor-trailer trucks. It is capable of transporting a maximum of approximately 1,100 cases of cigarettes.

11. As used in this indictment, the term “Case” or “Master case” of cigarettes generally describes a case of contraband cigarettes which contains fifty (50) cartons of cigarettes; the term “Carton” of cigarettes describes a carton which contains ten (10) packages; the term “Package” of cigarettes describes a package which contains twenty (20) individual cigarettes. Therefore, one case of cigarettes typically contains 10,000 individual cigarettes. In some instances, a case of cigarettes may contain sixty (60) cartons of cigarettes or 12,000 individual cigarettes. Legitimate cases of cigarettes always contain sixty (60) cartons.

**COUNT ONE**  
**(Conspiracy to Smuggle Cigarettes into the United States, Traffic in Goods Bearing Counterfeit Marks and Traffic in Counterfeit Cigarettes)**

1. The allegations set forth in the Introduction of this Indictment are hereby repeated and incorporated herein by reference.

2. Beginning in or about November 1999, and continuing through the date of this Indictment, in the District of New Jersey, the Eastern District of New York, the Central District of California, the Northern District of Illinois and elsewhere, the Defendants,

**TAKCHUNG YEUNG,**  
**a/k/a “Paul,”**  
**a/k/a “Paul Yeung,”**  
**a/k/a “Paul T. C. Yeung,”**  
**CHANG SHAN LIU,**  
**a/k/a “Charles Liu,”**  
**MAY LIU,**  
**a/k/a “May Chin,”**  
**SHEN WEN CHEN,**  
**KWONG YUEN WONG,**  
**a/k/a “Ming Lee,”**  
**LIANG CHIH TANG,**  
**a/k/a “Tony Tang,”**  
**and**  
**TSUNG MING LU,**  
**a/k/a “Tony”**

did knowingly and willfully conspire and agree with each other, with other unindicted co-conspirators, and with others both known and unknown to the grand jury, to commit the following offenses against the United States, that is:

- 1) to fraudulently and knowingly import and bring into the United States merchandise, namely, counterfeit and contraband cigarettes, contrary to law, and receive, conceal, buy, sell and in any manner facilitate the transportation, concealment and sale of such

counterfeit and contraband cigarettes after importation, knowing the counterfeit and contraband cigarettes to have been imported and brought into the United States contrary to law, contrary to Title 18, United States Code, Section 545;

- 2) to intentionally traffic in goods, namely, cigarettes, and knowingly use counterfeit marks on and in connection with such cigarettes, contrary to Title 18, United States Code, Section 2320(a) and
- 3) to knowingly ship, transport, receive, possess, sell, distribute and purchase contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341(2), namely, a quantity in excess of 60,000 cigarettes, which bear no evidence of the payment of applicable state cigarette taxes in the state where such cigarettes are found, namely the states of New Jersey and California, which require a stamp, impression and other indication to be placed on packages of cigarettes to evidence the payment of cigarette taxes, contrary to Title 18, United States Code, Section 2342(a);

#### **OVERT ACTS**

In furtherance of the conspiracy, and to effect the objects thereof, the defendants and their co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

1. On or about November 23, 1999, CHANG SHAN LIU and MAY LIU met in Atlantic City, New Jersey with undercover Federal Bureau of Investigation Special Agents who were posing as members of a separate criminal organization (hereafter “undercover agents”) and provided samples of counterfeit and contraband cigarettes to the undercover agents.

2. On or about January 20, 2000, MAY LIU met with undercover agents at a restaurant in Rockville, Maryland and received information from the agents regarding the method of shipment of counterfeit and contraband cigarettes.

3. On or about February 1, 2000, CHANG SHAN LIU met with undercover agents at  
at  
a restaurant in Columbia, Maryland and discussed methods of importation of counterfeit and contraband cigarettes and money laundering services offered by the undercover agents.

4. On or about April 24, 2001, MAY LIU met with undercover agents in Atlantic City and solicited the assistance of the undercover agents to smuggle counterfeit and contraband cigarettes in shipping containers into Port Newark, New Jersey.

5. On or about June 19, 2001, MAY LIU met with undercover agents at a restaurant in Washington, D.C. and discussed the smuggling of counterfeit and contraband cigarettes into Port Newark.

6. On or about August 30, 2001, CHANG SHAN LIU and MAY LIU met undercover agents at a restaurant, in Queens, New York and discussed the smuggling of counterfeit and contraband cigarettes.

#### SHIPMENT 1

7. On or about April 3, 2002, CHANG SHAN LIU sent a facsimile copy of a letter to  
to  
undercover agents in New Jersey requesting that \$100,000 be deposited in an escrow account as collateral to insure delivery of a shipment of counterfeit and contraband cigarettes.

8. On or about April 24, 2002, an undercover agent in New Jersey sent to CHANG

SHAN LIU a facsimile copy of an escrow letter addressed to a potential beneficiary, which enumerated the beneficiary's bank account at the Standard Chartered Bank, Tsimshatsui Branch in Hong Kong, China.

9. On or about May 22, 2002, CHANG SHAN LIU and MAY LIU met with undercover agents at a restaurant in Delaware, discussed the smuggling of a load of counterfeit and contraband cigarettes and received the original escrow letter.

10. On or about June 3, 2002, CHANG SHAN LIU sent to undercover agents in New Jersey by facsimile transmission a bill of lading for a 859 case container of counterfeit and contraband Marlboro and Marlboro Lights brand cigarettes falsely listed on the bill of lading as rattan, wicker and bamboo products (Shipment 1).

11. On or about June 7, 2002, CHANG SHAN LIU sent to undercover agents in New Jersey by facsimile transmission the invoice and packing list for Shipment 1 which falsely listed the contents of the container as wicker and rattan products.

12. Prior to on or about June 10, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU, acting in concert with others, caused the transportation into Port Newark, New Jersey of Shipment 1.

13. On or about June 20, 2002, CHANG SHAN LIU and MAY LIU met with undercover agents at a restaurant in Delaware and discussed a payment of \$50,000 for the agents' importation services and a transportation fee for delivering Shipment 1 to California.

14. On or about June 27, 2002, MAY LIU engaged in a telephone conversation with an undercover agent and discussed the delivery of Shipment 1 to a location near Monterey Park, California.

15. On or about July 8, 2002, CHANG SHAN LIU met with an undercover agent in El Monte, California, provided the agent with \$4,000 as partial payment for the importation and delivery of Shipment 1 and discussed meeting TAKCHUNG YEUNG.

16. On or about July 9, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused and directed the delivery of Shipment 1 from the undercover warehouse in New Jersey to El Monte, California, where co-conspirators not named as defendants herein took possession of the cigarettes.

17. On or about July 9, 2002, TAKCHUNG YEUNG and CHANG SHAN LIU met with an undercover agent in Alhambra, California and discussed matters related to the delivery of counterfeit and contraband cigarettes.

18. On or about July 17, 2002, CHANG SHAN LIU engaged in a telephone conversation with an undercover agent, informed the agent that TAKCHUNG YEUNG had two loads of counterfeit and contraband cigarettes leaving China on July 25, 2002 and solicited the agent's assistance in smuggling the containers into Port Newark, New Jersey.

### SHIPMENTS 2 AND 3

19. On or about August 21, 2002, CHANG SHAN LIU sent to undercover agents in New Jersey by facsimile transmission bills of lading, invoices and packing lists for two containers of counterfeit and contraband Marlboro, Marlboro Lights and Newport brand cigarettes totaling 1905 cases falsely listed on the bills of lading, invoices and packing lists as rattan, wicker and bamboo products (Shipments 2 and 3).

20. On or about August 22, 2002, CHANG SHAN LIU and MAY LIU met with an undercover agent in Atlantic City, New Jersey and informed the agent that the next two



shipments of counterfeit and contraband cigarettes arriving in the United States would be for TAKCHUNG YEUNG and that the loads would be delivered to California.

21. On or about August 29, 2002, CHANG SHAN LIU engaged in a telephone conversation with an undercover agent and informed the agent that TAKCHUNG YEUNG would pay additional money to insure that Shipments 2 and 3 were safely imported into the United States.

22. Prior to on or about September 5, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU, acting in concert with others, caused the transportation into Port Newark, New Jersey of Shipments 2 and 3.

23. On or about September 6, 2002, CHANG SHAN LIU and MAY LIU engaged in a telephone conversation with an undercover agent and discussed Shipments 2 and 3.

24. On or about September 26, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused and directed the delivery of 325 cases of counterfeit and contraband cigarettes from Shipments 2 and 3 from the undercover warehouse in New Jersey to a storage facility in Linden, New Jersey where CHANG SHAN LIU, SHEN WEN CHEN and an unidentified co-conspirator took possession of the cigarettes and loaded them into storage lockers and a vehicle rented by SHEN WEN CHEN.

25. On or about September 26, 2002, CHANG SHAN LIU met with undercover agents in Linden, New Jersey and discussed payment for the agents' importation services related to Shipments 2 and 3.

26. On or about October 3, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused and directed the delivery of 541 cases of counterfeit and contraband cigarettes

from Shipments 2 and 3 from the undercover warehouse in New Jersey to a storage facility in Linden, New Jersey where SHEN WEN CHEN and an unidentified co-conspirator took possession of the cigarettes and loaded them into storage lockers and a vehicle rented by SHEN WEN CHEN.

27. On or about October 8, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused and directed the delivery of 200 cases of counterfeit and contraband cigarettes from Shipments 2 and 3 from the undercover warehouse in New Jersey to a storage facility in Linden, New Jersey where SHEN WEN CHEN and an unidentified co-conspirator took possession of the cigarettes and loaded them into storage lockers, a vehicle rented by SHEN WEN CHEN and second vehicle registered to a co-conspirator not named as defendant.

28. On or about October 9, 2002, TAKCHUNG YEUNG and CHANG SHAN LIU met with undercover agents in Atlantic City, New Jersey, paid \$61,000 to the agents for their importation services related to Shipments 2 and 3 and discussed shipping arrangements, manufacturing plants in the People's Republic of China and the payment of bribes in the amount of \$20,000 per container to customs officials in China.

29. On or about October 14, 2002, CHANG SHAN LIU engaged in a telephone conversation with an undercover agent and informed the agent that the remainder of Shipments 2 and 3 were to be delivered to the West Coast and that TAKCHUNG YEUNG would provide the full delivery address for the warehouse that evening.

30. On or about October 18, 2002, KWONG YUEN WONG rented two U-Haul trucks in California used to transport counterfeit and contraband cigarettes from an undercover truck to an unknown location.

31. On or about October 18, 2002, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused and directed the delivery of 839 cases of counterfeit and contraband cigarettes from Shipments 2 and 3 from the undercover warehouse in New Jersey to Walnut, California where KWONG YUEN WONG and LIANG CHIH TANG took possession of the cigarettes and loaded them into two U-Haul rental trucks.

32. On or about October 18, 2002, KWONG YUEN WONG was arrested in California while driving a rented U-Haul truck containing cases of counterfeit and contraband cigarettes from Shipments 2 and 3.

33. On or about October 23, 2002, MAY LIU met with an undercover agent at a rest stop in Delaware, paid \$55,000 to the agent for importation services related to Shipments 2 and 3 and discussed TAKCHUNG YEUNG repaying her the money.

34. On or about October 18, 2002, SHEN WEN CHEN caused the wire transfer of approximately \$6,000 from an account at the Great Eastern Bank in New York to an account of a co-conspirator at the Standard Chartered Bank in Hong Kong, China.

35. On or about December 19, 2002, CHANG SHAN LIU met with an undercover agent at a restaurant in Tinton Falls, New Jersey and informed the agent that TAKCHUNG YEUNG wanted to import containers of counterfeit textile products into Port Newark, New Jersey.

#### SHIPMENT 4

36. On or about January 20, 2003, CHANG SHAN LIU met with undercover agents in Atlantic City, New Jersey and furnished the agents with the bill of lading, invoice and packing list for a container of counterfeit Marlboro Lights and Newport 100's brand cigarettes totaling

858 cases, which were falsely listed on the bill of lading, invoice and packing list as rattan, wicker and bamboo products (Shipment 4).

37. Prior to on or about January 28, 2003, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU, acting in concert with others, caused the transportation into Port Newark, New Jersey of Shipment 4.

38. On or about February 1, 2003, CHANG SHAN LIU sent to undercover agents in New Jersey by facsimile transmission a document containing delivery instructions for Shipment 4.

39. On or about February 7, 2003, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused and directed the transportation of 450 cases of counterfeit and contraband cigarettes from Shipment 4 from the undercover warehouse in New Jersey to a storage facility in Jersey City, New Jersey where TSUNG MING LU took possession of the cigarettes and loaded them into storage lockers and a vehicle rented by TSUNG MING LU.

40. On or about February 12, 2003, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU caused the transportation of 407 cases of counterfeit and contraband cigarettes from Shipment 4 from the undercover warehouse in New Jersey to a storage facility in Jersey City, New Jersey where TSUNG MING LU took possession of the cigarettes and loaded them into a storage locker.

#### SHIPMENT 5

41. On or about May 27, 2003, CHANG SHAN LIU sent to undercover agents in New Jersey by facsimile transmission a bill of lading, packing list and invoice for a container intended and believed by TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU to contain

861 cases of counterfeit and contraband cigarettes, which were falsely listed as rattan, wicker, and bamboo products (Shipment 5).

42. Prior to on or about May 29, 2003, TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU, acting in concert with others, caused the transportation into Port Newark, New Jersey of Shipment 5, which contained bags of sand rather than cases of counterfeit and contraband cigarettes.

43. On or about June 5, 2003, CHANG SHAN LIU engaged in a telephone conversation with an undercover agent and was informed by the agent that Shipment 5 contained bags of sand rather than counterfeit and contraband cigarettes.

44. On or about June 9, 2003, CHANG SHAN LIU engaged in a telephone conversation with an undercover agent and advised the agent that TAKCHUNG YEUNG wanted photographs of the bags of sand found in Shipment 5 and that TAKCHUNG YEUNG had traveled to the factory in China to investigate Shipment 5.

45. On or about June 24, 2003, CHANG SHAN LIU met with undercover agents in Alhambra, California and discussed a potential meeting with TAKCHUNG YEUNG and a co-conspirator not named as a defendant to discuss the security of counterfeit and contraband cigarette loads delivered to California.

All in violation of Title 18, United States Code, Section 371.

**COUNTS TWO Through FIVE**  
**(Smuggling Counterfeit Cigarettes)**

1. The allegations set forth in the Introduction of this Indictment are hereby repeated

and incorporated herein by reference.

2. On or about the dates alleged below, in the District of New Jersey, the Central District of California, and elsewhere, the Defendants set forth below knowingly, willfully and with intent to defraud the United States, did smuggle and clandestinely introduce into the United States, and attempt to smuggle and clandestinely introduce into the United States merchandise, namely counterfeit and contraband cigarettes, in the amounts alleged below, which should have been invoiced and did make out and pass, and cause the making out and passing into a customhouse, false, forged and fraudulent invoices, documents and paper, and did fraudulently and knowingly receive, conceal, buy, sell, and in any manner facilitate the transportation, concealment and sale of such merchandise after importation, knowing the counterfeit and contraband cigarettes to have been imported and brought into the United States contrary to law, in that Defendants failed to invoice such merchandise and did make out and pass and cause the making out and passing of false, forged and fraudulent invoices, documents and paper pertaining to said merchandise, contrary to Title 18, United States Code, Sections 542, 1001, and Title 19, United States Code, Sections 1481:

2	On or about June 10, 2002 through on or about July 9, 2002	<b>TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU</b>	859 cases; 8,590,000 cigarettes
3	On or about September 5, 2002 through on or about October 18, 2002	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU, SHEN WEN CHEN, KWONG YUEN WONG and LIANG CHIH TANG</b>	1905 cases; 19,050,000 cigarettes

4	On or about January 28, 2003 through on or about February 12, 2003	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and TSUNG MING LU</b>	858 cases; 8,580,000 cigarettes
5	On or about May 29, 2003	<b>TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU</b>	861 cases; 8,610,000 cigarettes

In violation of Title 18, United States Code, Sections 545 and 2.

**COUNTS SIX through EIGHT**  
**(Trafficking in Goods Bearing Counterfeit Marks)**

1. The allegations set forth in the Introduction of this Indictment are hereby repeated and incorporated herein by reference.

2. On or about the dates alleged below, in the District of New Jersey, the Central District of California, and elsewhere, the Defendants set forth below did intentionally traffic, attempt to traffic and aid and abet the trafficking in goods, namely, cigarettes, and did knowingly use and aid and abet the use of counterfeit marks, as alleged below, on and in connection with such goods, which marks were identical with and substantially indistinguishable from genuine marks in use and duly registered for those goods on the principal register in the United States Patent and Trademark Office, and the use of which marks were likely to cause confusion, to cause mistake and to deceive:

6	On or about June 10, 2002 through on or about July 9, 2002	<b>TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU</b>	859 cases; 8,590,000 cigarettes; Marlboro Marlboro Lights
7	On or about September 5, 2002 through on or about October 18, 2002	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU, SHEN WEN CHEN, KWONG YUEN WONG and LIANG CHIH TANG</b>	1905 cases; 19,050,000 cigarettes; Marlboro Marlboro Lights Newport
8	On or about January 28, 2003 through on or about February 12, 2003	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and TSUNG MING LU</b>	858 cases; 8,580,000 cigarettes; Marlboro Lights Newport 100's

In violation of Title 18, United States Code, Sections 2320(a) and 2.



**COUNTS NINE through FIFTEEN**  
**(Trafficking in Contraband Cigarettes)**

1. The general allegations in the Introduction are hereby repeated and incorporated herein by reference.

2. On or about the dates alleged below, in the District of New Jersey, the Central District of California, and elsewhere, the Defendants set forth below did knowingly and willfully ship, transport, receive, possess, sell, distribute and purchase and cause the shipment, transportation, receipt, possession, sale, distribution and purchase, of contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341(2), in the approximate amounts set forth below, which bore no evidence of the payment of applicable State cigarette taxes for the States alleged below:

<b>Count</b>	<b>Date and state</b>	<b>Defendants</b>	<b>Number of Cases and Cigarettes</b>
9	On or about July 9, 2002; California	<b>TAKCHUNG YEUNG, CHANG SHAN LIU and MAY LIU</b>	859 cases; 8,590,000 cigarettes
10	On or about September 26, 2002; New Jersey	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and SHEN WEN CHEN</b>	325 cases; 3,250,000 cigarettes
11	On or about October 3, 2002 New Jersey	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and SHEN WEN CHEN</b>	541 cases; 5,410,000 cigarettes

<b>Count</b>	<b>Date and state</b>	<b>Defendants</b>	<b>Number of Cases and Cigarettes</b>
12	On or about October 8, 2002 New Jersey	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and SHEN WEN CHEN</b>	200 cases; 2,000,000 cigarettes
13	On or about October 18, 2002; California	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU, KWON YUEN WONG and LIANG CHIH TANG</b>	839 cases; 8,390,000 cigarettes
14	On or about February 7, 2003 New Jersey	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and TSUNG MING LU</b>	450 cases; 4,500,000 cigarettes
15	On or about February 12, 2003; New Jersey	<b>TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU and TSUNG MING LU</b>	407 cases; 4,070,000 cigarettes

In violation of Title 18, United States Code, Sections 2342(a) and 2.

## **FORFEITURE ALLEGATION**

1. The allegations contained in Counts 2 through 5 are incorporated as if set forth at length herein for the purposes of noticing forfeiture, pursuant to Title 18, United States Code, Section 982(a)(2).

2. As the result of committing one or more of the smuggling offenses in violation of 18 U.S.C. § 545, alleged in Counts 2 through 5 of this Superseding Indictment, defendants TAKCHUNG YEUNG, CHANG SHAN LIU, MAY LIU, SHEN WEN CHEN, KWONG YUEN WONG, LIANG CHIH TANG and TSUNG MING LU, shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(2)(B), any property that constitutes or is derived from proceeds the defendant obtained directly or indirectly, as a result of such violation, including but not limited to the following:

### **1. MONEY JUDGMENT**

A sum of money equal to \$2,500,000 in United States currency, representing the amount of proceeds obtained as a result of the offense, smuggling counterfeit and contraband cigarettes, for which the defendants are jointly and severally liable.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without

difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property, pursuant to Title 18, United States Code, Section 982(a)(2)(B).

A TRUE BILL

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FOREPERSON

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CHRISTOPHER J. CHRISTIE  
United States Attorney